

1 STATE OF GEORGIA
2 COUNTY OF FULTON
3 CITY OF SOUTH FULTON

RES2019-050

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6 **A RESOLUTION BY THE CITY AUTHORIZING THE CITY MANAGER TO EXECUTE**
7 **CAPITAL PROJECT AGREEMENTS FOR THE ASSUMPTION AND CONTINUATION**
8 **OF TRANSPORTATION PROJECTS WITHIN THE CITY AND FOR OTHER LAWFUL**
9 **PURPOSES**
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11 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
12 organized and existing under the laws of the State of Georgia;

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14 **WHEREAS**, the duly elected governing authority of the City, is the Mayor and
15 Council thereof ("City Council");

16 **WHEREAS**, prior to the City's incorporation, Fulton County negotiated and/or
17 entered into multiple agreements with various vendors for road and bridge repairs and
18 related transportation projects within the City (agreements attached hereto as "Exhibit
19 A");

20 **WHEREAS**, the City has designated funding for the continuation of transportation
21 related capital projects throughout the City;

22 **WHEREAS**, the City Council desires to authorize the City Manager negotiate and
23 the City Attorney to finalize the City's assumption of the capital project agreements
24 attached hereto, within the confines of the amounts budgeted by the City for the same;
25 and

26 **WHEREAS**, this Resolution is in the best interests of the health and general
27 welfare of the City, its residents and general public.

28 **THE COUNCIL OF THE CITY OF SOUTH FULTON, GEORGIA, HEREBY**
29 **RESOLVES** as follows:
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31 **Section 1.** The City Council hereby authorizes the City Manager to negotiate
32 and execute and the City Attorney to finalize agreements causing for City's assumption
33 in substantial form of the capital projects agreements attached hereto as Exhibit A,
34 within the confines of the amounts budgeted by the City for transportation projects.
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37 **Section 2.** It is hereby declared to be the intention of the City Council that: (a)
38 All sections, paragraphs, sentences, clauses and phrases of this Resolution are or
39 were, upon their enactment, believed by the City Council to be fully valid, enforceable
40 and constitutional.

41 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
42 clause or phrase of this Resolution is severable from every other section, paragraph,
43 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause
44 or phrase of this Resolution is mutually dependent upon any other section, paragraph,
45 sentence, clause or phrase of this Resolution.

46 (c) In the event that any phrase, clause, sentence, paragraph or section of this
47 Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or
48 otherwise unenforceable by the valid judgment or decree of any court of competent
49 jurisdiction, it is the express intent of the City Council that such invalidity,
50 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
51 render invalid, unconstitutional or otherwise unenforceable any of the remaining
52 phrases, clauses, sentences, paragraphs or sections of the Resolution.

53 **Section 3.** The city attorney and city clerk are authorized to make non-substantive
54 editing and renumbering revisions to this Resolution for proofing, codification, and
55 supplementation purposes. The final version of all ordinances shall be filed with the city
56 clerk.

57 **Section 4.** The effective date of this Resolution shall be the date of adoption, unless
58 provided otherwise by the City Charter or state and/or federal law.
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61 THIS RESOLUTION adopted this 24th day of September 2019.

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63 CITY OF SOUTH FULTON, GEORGIA

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68 WILLIAM "BILL" EDWARDS, MAYOR

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71 ATTEST:

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75 S. DIANE WHITE, CITY CLERK

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77 APPROVED AS TO FORM:

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79 
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81 EMILIA C. WALKER, CITY ATTORNEY



The foregoing RESOLUTION No. 2019-050, adopted on September 24, 2019 was offered by Councilmember Rowell, who moved its approval. The motion was seconded by Councilmember Willis and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	<u> </u>	<u> </u>
Mark Baker, Mayor Pro Tem	<u> X </u>	<u> </u>
Catherine Foster Rowell	<u> X </u>	<u> </u>
Carmalitha Lizandra Gumbs	<u> X </u>	<u> </u>
Helen Zenobia Willis	<u> X </u>	<u> </u>
Gertrude Naeema Gilyard	<u> </u>	<u> X </u>
Rosie Jackson	<u> X </u>	<u> </u>
khalid kamau	<u> X </u>	<u> </u>